

**State of California
Office of Administrative Law**

In re:
San Francisco Bay Conservation and
Development Commission

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:
Amend sections: 11990
Repeal sections:

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

OAL Matter Number: 2023-0327-02

OAL Matter Type: Regular (S)

This action by the San Francisco Bay Conservation and Development Commission updates 124 individual ownership adaptive management plans pursuant to Public Resources Code section 29412.5 and is submitted to OAL pursuant to Government Code section 11354.1.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 5/9/2023.

Date: May 9, 2023



Kevin D. Hull
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Lawrence J. Goldzband,
Executive Director
Copy: Michael Ng

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/

STD. 400 (REV. 10/2019)

REGULAR

ations on
(b)For use by Secretary of State only
ENDORSED - FILED
In the office of the Secretary of State
of the State of California

MAY 09 2023

1:53 pm

OAL FILE NUMBERS NOTICE FILE NUMBER REGULATORY ACTION NUMBER EMERGENCY NUMBER
Z- 2023-0327-025

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2023 MAR 27 PM3:10

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY

San Francisco Bay Conservation and Development Commission (BCDC)

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY		ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Suisun Marsh Local Protection Program	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND Section 11990
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) Gov. Code Section 11354.1

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF NOTIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) Gov. Code section 11354.1(d)(5)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Michael Ng	TELEPHONE NUMBER (415) 352-3610	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) michael.ng@bcdca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Michael Ng	DocuSigned by: 785B9E96237D403...	DATE March 10, 2023
TYPED NAME AND TITLE OF SIGNATORY Michael Ng, Senior Staff Attorney		

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 09 2023

Office of Administrative Law

ENCLOSURE 1

**SUMMARY OF REGULATORY PROVISION APPROVED BY THE SAN FRANCISCO BAY
CONSERVATION AND DEVELOPMENT COMMISSION (BCDC) AS PART OF PROPOSED CHANGE
FOR PUBLICATION IN THE CALIFORNIA CODE OF REGULATIONS
(GOVERNMENT CODE § 11354.1(d)(2)(A))**

Proposed amendment to 14 CCR section 11990, adding:

§ 11990. Amendments to Suisun Marsh Local Protection Program

...

3. On March 17, 2022 the San Francisco Bay Conservation and Development Commission approved Resolution No. 2022-01, which conditionally certified amendment of the Suisun Resource Conservation District component of the Suisun Marsh Local Protection Program by:

- (a) updating 124 individual management plans with up-to-date science and adaptive management approaches;
- (b) providing updated maps of water management infrastructure; and
- (c) retaining enforceable standards designed to protect wildlife and natural resources in regard to water management practices in Suisun Marsh.

NOTE: Authority cited: Sections 29200 and 29201, Public Resources Code. Reference Sections 29415 and 29418, Public Resources Code.